

## RESOLUTION NO. 2006-313

Adopted by the Sacramento City Council

May 9, 2006

### INTENTION TO ESTABLISH THE POWER INN AREA PROPERTY AND BUSINESS IMPROVEMENT DISTRICT

#### BACKGROUND:

- A.** The owners of property within the proposed Power Inn Area Property and Business Improvement District No. 2006-\_\_\_\_\_ (the PBID) have submitted petitions asking that the City Council establish the PBID. Included with each petition was a summary of the management district plan for the PBID and a map showing the proposed PBID boundaries. The map is entitled "Power Inn Property & Business Improvement Study Area." The petitions, the boundary map, and the management district plan are on file with the City Clerk.
- B.** The management district plan provides for the following improvements and activities within the PBID, all of which are intended to continue to improve the Power Inn commercial area: (1) Advocacy & Communications, (2) Security Coordination, (3) Economic Development & Marketing, and (4) Maintenance & Beautification. The management district plan proposes to fund these improvements and activities through the levy of a benefit assessment on real property within the PBID.

#### BASED ON THE FOREGOING BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

**Section 1.** The City Council finds and determines that the facts set forth in the Background are true.

**Section 2.** The City Council finds that the property owners who will pay more than 50% of the assessment proposed in the management district plan have signed the petitions. The City Council thus accepts the petitions and intends to establish the PBID and to levy an assessment on real property within the PBID boundaries in accordance with the Property and Business Improvement District Law of 1994 and Sacramento City Code section 3.92.050. In the first year of the five-year term, the proposed assessment will be approximately \$230,000.

**Section 3.** The City Council finds that the management district plan satisfies all requirements of Streets and Highway Code sections 36622 and 36660.

**Section 4.** The exterior boundaries of the PBID are shown on the "Power Inn Property & Business Improvement Study Area" boundary map attached to this resolution as Exhibit A.

**Section 5.** No bonds will be issued for the PBID.

**Section 6.** The time and place for the public hearing on the establishment of the PBID and the proposed assessment is set for June 27, 2006, at 2:00 p.m. in the City Council's chambers, City Hall, 915 "I" Street (first floor), Sacramento, California. The City Council may continue the public hearing from time to time.

**Section 7.** The City Clerk is directed to give notice of the time and place of the public hearing in accordance with Streets and Highways Code section 36623. The City Clerk is to do this by mailing (or causing to be mailed) written notices and assessment ballots in the time, form, and manner provided by Government Code section 53753 to all persons who own real property that is within the PBID and will be subject to the proposed assessment. The forms of the notices and ballots must be approved by the City Attorney. The City Clerk is further directed to file an affidavit with the City Council when all notices and ballots have been mailed, setting forth the time and manner of her compliance with the requirements of law for mailing the notices and ballots.

**Section 8.** At the public hearing, the City Council will consider all objections or protests to the proposed assessment, and any interested person will be permitted to present written or oral testimony. At the conclusion of the public hearing, all ballots submitted and not withdrawn will be tabulated in accordance with Government Code section 53753.

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Exhibit A: Exterior Boundary Map -1 Page

Adopted by the City of Sacramento City Council on May 9, 2006 by the following vote:

Ayes: Councilmembers Cohn, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Vice Mayor Fong.

Noes: None.

Abstain: None.

Absent: Mayor Fargo.

  
\_\_\_\_\_  
Vice Mayor, Robert King Fong

Attest:

  
\_\_\_\_\_  
Shirley Concolino, City Clerk

# EXHIBIT A

